

# MANISTEE CITY PLANNING COMMISSION

70 Maple Street  
Manistee, MI 49660

## MEETING MINUTES

July 6, 2006

A Meeting of the Manistee City Planning Commission was held on Thursday, July 6, 2006 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

**MEMBERS PRESENT:** Maureen Barry, Ben Bifoss, Tamara Buswinka, Dave Crockett, Greg Ferguson, Ray Fortier, Harlo Haines, and Roger Yoder

**MEMBERS ABSENT:** Tony Slawinski

**OTHERS:** Alfred MacDonald, Mark Reenders (Mark A. Reenders Construction, Inc), Chuck Canestraight (Sand Products Corporation), Mark Chmura (308 River Street), Patty O'Donnell (Northwest Michigan Council of Governments), Bob Strohs (322 Lakeshore Drive), Michael Moran (Dock owner), Jon Rose (Community Development), Denise Blakeslee (Planning & Zoning) and Others

Meeting was opened at 7:00 p.m. by Chairman Yoder.

Planning Commissioners welcomed new member Harlo Haines.

### PUBLIC HEARING:

None

### APPROVAL OF MINUTES:

#### Planning Commission Meeting of June 1, 2006

MOTION by Ray Fortier, seconded by Ben Bifoss that the minutes of the June 1, 2006 Planning Commission Meeting be approved.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Bifoss, Buswinka, Crockett, Ferguson, Fortier, Yoder, Haines

No: None

**NEW BUSINESS:**

Fred MacDonald, 305 Cypress Street - Driveway Permit.

Fred MacDonald has submitted an application for a Driveway Permit at 305 Cypress Street. This is a very narrow lot and the proposed driveway has a zero setback on the south property line and a two foot setback on the north property line. The Zoning Ordinance allows the Planning Commission the option to approve a driveway that does not comply with the ordinance.

Mr. MacDonald explained that this parcel does not have access to the alley and currently they have to park their vehicle on Third Street. If the turnaround were located in the rear it they would need to remove another tree and a part of a deck would have to be removed.

Jon Rose recommends the reduction on the north property line to two (2) feet but does not recommend the zero setback on the south property line. Mr. Rose feels that the three (3) foot setback should be maintained.

MOTION by Ben Bifoss, seconded by Greg Ferguson to approve the request from Alfred MacDonald, 305 Cypress Street to install a driveway as submitted on the site plan but the driveway must maintain the required three (3) foot setback on the south property line in accordance with the Zoning Administrators recommendation.

With a roll call vote this motion passed 7 to 1.

Yes: Bifoss, Haines, Buswinka, Ferguson, Barry, Fortier, Yoder

No: Crockett

**UNFINISHED BUSINESS:**

Mark A. Reenders Construction, Inc. - Special Use Permit/PUD, 500 Ford Street (former Washington School property).

A Public Hearing was held at the June Planning Commission meeting regarding a request from Mark A. Reenders Construction for a Planned Unit Development that would allow the construction of a 33 unit condominium project. Mr. Reenders has submitted a new site which the Planning Commission will review.

Mr. Reenders said that this site plan was prepared to address comments from the Planning Commission that were made at the June Meeting. Some items on the new plan that he highlighted were as follows:

- ▶ No lighting in landscaped areas. Only lighting will be on the buildings (garages, front and rear entries) as required in the building code.
- ▶ Sewer mains have been adjusted to meet the requirements from Wade Trim (May 23, 2006 Memo).
- ▶ Eliminated driveways on Ford Street, now accessed from Church Avenue. Reconfigured driveways to allow on street parking.
- ▶ Moved buildings back on Ford Street, they will be at the same grade that the Washington School Building was built upon.
- ▶ Reduced the height of the three story building.

Mr. Reenders spoke of the Memo that Jon Rose had prepared for the members and the memo from the Fire Chief. Mr. Reenders disagrees with some of the comments/concerns from the Fire Chief and cited other properties. Chairman Yoder explained that Mr. Reenders would need to speak with the Fire Chief about his concerns, in addition to having to meet Zoning requirements the development would have to meet any safety concerns of the Fire Department for Planning Commission to approve.

Planning Commissioners discussed traffic circulation and stacking of vehicles, Density still exceeds Master Plan requirements, Deadline for deliberation is July 30, 2006. .

Mr. Reenders and the Planning Commission agreed to a 30 day extension (August 29, 2006) for the Planning Commission to take action on the request.

The Planning Commission discussed the definition of a Planned Unit Development and if this project would qualify as a Planned Unit Development under the new Zoning Ordinance.

MOTION by Greg Ferguson, seconded by Ray Fortier that the application from Mark A. Reenders Construction, Inc for a Special Use Permit at 500 Ford Street (former Washington School property) for a 33 unit condominium development be considered a Planned Unit Development (PUD) application.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Buswinka, Ferguson, Fortier, Bifoss, Crockett, Yoder, Haines

No: None

#### Sand Products Corporation - Planned Unit Development Amendment (Phase 3)

Commissioner Haines will recuse himself from discussion on the Sand Products Corporation request at this time pending clarification of potential conflict. Commissioner Bifoss left his seat due to a conflict of interest.

Sand Products Corporation has requested an Amendment to their Planned Unit Development for Phase 3. Mr. Canestraight will present a new site plan and discuss the Soil Bearing Summary that was done at the proposed development site. In addition Mr. Canestraight is requesting an extension of the August 3, 2006 dead line for decision.

Discussion with Mr. Canestraight included:

- Phase 3 has been reduced from 5 building sites to 4
- Phase 2 has been reduced from 6 building sites to 5
- They have been working with the DEQ on set back and permit requirements
- Public Access has been provided to Man Made lake except in front of the Phase I units
- Will install a sidewalk to allow a circular pedestrian traffic flow around Man Made Lake
- Easement has been provided to Lake Michigan as per agreements.

Mr. Canestraight said that the plan before the Planning Commission shows the layout for all three phases of the project. Mr. Canestraight said he would like the site layout shown on this plan to be considered the official layout of the Phase 2 areas. Mr. Canestraight would like the Planning Commission to consider the layout of the development, he would like conditional approval for the streets and utilities pending City Engineer review and approval that would then be conditional upon the Department of Environmental Quality approval and Certification.

Mr. Canestraight and the Planning Commission agreed to schedule a Site Visit at 6:00 p.m. before the next regular meeting on August 3, 2006 and an extension on deliberation until the September 7, 2006 Planning Commission Meeting.

#### Mark & Christina Chmura - Reconsideration of Denial.

Mr. Bifoss re-entered the meeting.

Jon Rose Community Development Director is requesting that the Planning Commission reconsider their denial of the request from Mr. & Mrs. Chmura for a Special Use Permit to construct an 8 slip marina. The request is being made in light of certified information from James T. Nordlund, Sr. P.E., Registered Land Surveyor which states Mr. & Mrs. Chmura have riparian rights.

MOTION by Ben Bifoss, seconded by Tamara Buswinka that the Planning Commission reconsider the request from Mark & Christina Chmura for a Special Use Permit.

With a roll call vote this motion passed 8 to 0.

Yes: Fortier, Buswinka, Bifoss, Haines, Yoder, Crockett, Barry, Ferguson  
No: None

Mr. Chmura submitted a site plan that includes the fish cleaning station and signage as requested by the Planning Commission.

MOTION by Ben Bifoss, seconded by Ray Fortier to approve the application from Mark & Christina Chmura, 308 River Street for an 8 slip marina.

With a roll call vote this motion passed 7 to 1.

Yes: Barry, Buswinka, Ferguson, Fortier, Bifoss, Yoder, Haines  
No: Crockett

#### OTHER COMMUNICATIONS:

Patty O'Donnell, Northwest Michigan Council of Governments.

Ms. O'Donnell gave a presentation about "*Finding Common Ground: Lake Michigan Joint Planning Options in Benzie and Manistee Counties*". Ms. O'Donnell will forward the meeting schedule for the Commissioners.

#### CITIZEN QUESTIONS AND CONCERNS:

Bob Strohs, 332 Lakeshore Drive - Mr. Strohs spoke of the document that he prepared for the Commissioners regarding the Lake Michigan water levels.

Michael Moran, dock owner - Mr. Moran asked if his dock that he leases from the City is located on City Property?

#### WORK/STUDY SESSION:

There is no Worksession scheduled for July. Members were reminded that they have been signed up to attend the Workshop on July 13, 2006 on the new Zoning Enabling Act.

Chairman Yoder has received his Master Citizen Planner Certification.

Greg Ferguson asked if the application for Planned Unit Developments and Special Use Permits could include language that asks the developer if they will be applying for Brownfield credits or tax credits. He would like that information to be disclosed to the Planning Commission prior to their determination on permits.

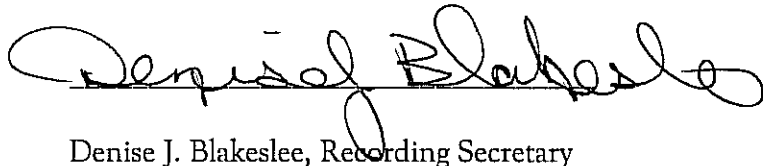
The Planning Commission will review the Sub-Committee appointments at the August meeting because of the turnover in members since the first of the year.

**ADJOURNMENT:**

MOTION by Greg Ferguson, seconded by Ray Fortier that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 9:17 P.M.

MANISTEE PLANNING COMMISSION

A handwritten signature in black ink, reading "Denise J. Blakeslee". The signature is written in a cursive style with a horizontal line drawn through the middle of the name.

Denise J. Blakeslee, Recording Secretary